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December 5, 2024

VIA ECF

Hon. Lewis J. Liman
United States District Court Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street, Room 15C
New York, N.Y. 10007-1312

Re: ***Igartua v. Good Grades, LLC***
Case No. 1:24-cv-06575 (LJL)
Letter Motion for Extension of Time to Serve Defendant

Dear Judge Liman:

Our office represents Plaintiff Juan Igartua ("Plaintiff") in the above-referenced Americans with Disabilities Act ("ADA") matter against Defendant Good Grades, LLC ("Defendant"). We write now to respectfully request that the Court issue an Order, *nunc pro tunc*, extending the time for service upon the Defendants until December 30, 2024. We make this request pursuant to Federal Rules of Civil Procedure 4(m) and 6(b)(1)(B), which allows for extensions on motion made after the time has expired if the party failed to act because of excusable neglect. Should the Court grant this application, we would further respectfully request that the Court schedule the initial conference for a date in late January or early February 2025.

Procedural History

By way of background, the instant matter was filed on August 30, 2024. The Summons was issued on September 3, 2024 (ECF Dkt. 4). We sent the Summons and Complaint to our process servers, Meridian Investigations & Security in Port Washington, New York, for service upon the Defendants. Unfortunately, Meridian has not yet effectuated service upon the Defendants, despite our resubmission of another copy of the Summons, Complaint, and relevant Exhibits related to this action.

Due to unforeseen staffing losses, including the head of ADA Division, Nathaniel Peckham, Esq., and our ADA paralegal, Adaciris Montesino, we failed to realize that Defendants had not been served until just this past week. We apologize to the Court for this oversight, and we will make sure that this does not happen again moving forward.

Based on the foregoing, we respectfully request that the Court issue an Order, *nunc pro tunc*, extending the time for service upon the Defendant until December 30, 2024, and setting this matter down for an initial conference in late January or early February 2025, on a date that is convenient to the Court.

We thank the Court consideration of this request.

Sincerely,



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